

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

U.S. COMMODITY FUTURES TRADING
COMMISSION, *et al.*

Plaintiffs,

v.

TMTE, INC. a/k/a METALS.COM, CHASE
METALS, INC., CHASE METALS, LLC,
BARRICK CAPITAL, INC., LUCAS THOMAS
ERB a/k/a LUCAS ASHER a/k/a LUKE ASHER,
and SIMON BATASHVILI,

Defendants,

TOWER EQUITY, LLC,

Relief Defendant.

CIVIL ACTION NO.
3:20-CV-2910-E

**RECEIVER'S SECOND STATUS REPORT REGARDING RECEIVER'S MOTION FOR
"SHOW CAUSE" HEARING TO HOLD DEFENDANT SIMON BATASHVILI IN CIVIL
CONTEMPT**

COMES NOW, Kelly M. Crawford (“Receiver”) and pursuant to this Court’s *Order* of May 25, 2022 [Doc. 403], and as a follow up to the *Receiver’s Status Report Regarding Receiver’s Motion for “Show Cause” Hearing to Hold Defendant Simon Batashvili in Civil Contempt* (the “Status Report”) [Doc. 423], submits this second status report regarding the *Receiver’s Motion for “Show Cause” Hearing to Hold Defendant Simon Batashvili in Civil Contempt* (the “Contempt Motion”)[Doc. 250], respectfully showing the Court as follows:

1. As proposed by the Receiver in the Status Report, on Monday, June 13, 2022, the Receiver conferred with counsel for Defendant Batashvili regarding the Declaration of Perez

Batashvili, provided by Defendant Batashvili to address the disposition of the watch at issue in the Contempt Motion (the “Perez Declaration”). The Receiver explained to counsel for Defendant Batashvili the basis for the Receiver’s belief that the Perez Declaration was insufficient to moot the contempt issue. The Receiver requested Defendant Batashvili to provide a declaration attesting to his disposition of the watch at issue.

2. On June 17, 2022, counsel for Defendant Batashvili provided the Receiver with the declaration of Defendant Simon Batashvili regarding the disposition of the watch. A true and correct copy of the declaration is attached hereto as **Exhibit A**.

3. The Receiver believes the declaration from Defendant Simon Batashvili, together with the Perez Declaration provided earlier, sufficiently addresses the disposition of the watch at issue in the Contempt Motion. As a result, a show cause hearing on the Contempt Motion is no longer necessary.

Respectfully submitted

SCHEEF & STONE, L.L.P.

/s/ Kelly M. Crawford

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RECEIVER KELLY CRAWFORD

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 17, 2022 I electronically filed the foregoing document with the clerk of the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court, and the electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record.

/s/ Kelly Crawford
Kelly Crawford